

**TOWN OF FOUNTAIN HILLS  
MINUTES OF A REGULAR MEETING OF THE  
BOARD OF ADJUSTMENT  
FEBRUARY 17, 2009**

A public meeting of the Fountain Hills Board of Adjustment was convened and called to order by Vice-Chairman Richard Gohl at 6:30 p.m. Tuesday, February 17, 2009, in the Town Hall Council Chambers located at 16705 E. Avenue of the Fountains, Fountain Hills, Arizona.

**AGENDA ITEM #1 CALL TO ORDER, PLEDGE TO THE FLAG, MOMENT OF SILENT REFLECTION, AND ROLL CALL.**

Present for the meeting were Vice-Chairman Richard Gohl and Board Members John Kovac III, Paul Ryan, and Robert Row. Also present were Planning and Zoning Director Richard A.G. Turner, Senior Planner Robert Rodgers, and Janice Baxter Executive Assistant and recorder of the minutes. Board Member Angela Strohan was unable to attend the meeting and she notified staff prior to the meeting.

Vice-Chairman Gohl	present
Board Member John Kovac	present
Board Member Paul Ryan	present
Board Member Robert Row	present
Angela Strohan	absent

**AGENDA ITEM #2 INTRODUCTION of Robert Row, newly appointed board member.**

Vice-Chairman Gohl introduced and welcomed the Board's newly appointed Board of Adjustment member Robert J. Row.

**AGENDA ITEM #3 NOMINATION AND ELECTION OF A CHAIRMAN AND VICE-CHAIRMAN FOR A ONE (1) YEAR TERM.**

Vice-Chairman Richard Gohl asked for nominations for Chairman of the Board of Adjustment.

Board Member John Kovac III **NOMINATED** Richard Gohl for the position of Chairman. Vice-Chairman Richard Gohl accepted the nomination and Board member Paul Ryan **SECONDED**. There were no other nominations for the office of chairman. Vice-Chairman Gohl called for a vote on the election of a chairman. Richard Gohl was elected by a vote of 4-0.

Chairman Richard Gohl asked for nominations for Vice-Chairman. Chairman Gohl **NOMINATED** Board Member Paul Ryan for Vice-Chairman and Board Member Ryan accepted the nomination. John Kovac III **SECONDED** the nomination. There were no other

nominations for the office of vice-chairman. Chairman Gohl called for a vote on the election of a vice-chairman. Board Member Robert Ryan was elected by a vote of 4-0.

**AGENDA ITEM #4 CONSIDERATION OF THE BOARD OF ADJUSTMENT MEETING MINUTES FOR JUNE 17, 2008.**

Board Member Kovac made a **MOTION** to approve the minutes from the June 17, 2008, Board of Adjustment meeting. Chairman Gohl **SECONDED** and the **MOTION** passed 2-0, by those present at the June 17, 2008, Board of Adjustment meeting.

Chairman Gohl	aye
Board Member Kovac	aye

**AGENDA ITEM #5 REQUEST FOR VARIANCE TO ALLOW THE CONSTRUCTION OF 189.9 SQUARE FEET OF SIGNAGE ON THE BASHA'S STOREFRONT LOCATED AT 16605 E. PALISADES BOULEVARD. CASE NUMBER V2009-01.**

Robert Rodgers, Senior Planner informed the Board that the applicant was requesting a continuance of their case number V2009-01 (Exhibit "A" attached).

Vice-Chairman Ryan asked staff why the applicant had requested a continuance. Mr. Rodgers introduced a representative from the Basha's Plaza, Mr. Edwin C. Bull of Burch & Cracchiolo, P.A., Attorneys at Law, located at 702 East Osborn Road, Phoenix, Arizona 85014. Mr. Bull explained that there were new findings had been found that the applicant felt would help justify their request for a variance and the applicant wished to introduce these findings to the Board of Adjustment before the Board considered their case.

Board Member Kovac asked staff if they supported the postponement. Mr. Rodger's stated that ultimately it was the Board's decision but he added that staff did not have a problem with a continuance if that was the final decision from the Board.

Chairman Gohl made a **MOTION** to approve the requested continuance of case number V2009-01, until Wednesday, February 25, 2009. Vice-Chairman Ryan **SECONDED** and the **MOTION** passed 4-0, by those present.

Chairman Richard Gohl	aye
Vice-Chairman Paul Ryan	aye
Board Member John Kovac	aye
Board Member Robert Row	aye

**AGENDA ITEM #6 ADJOURNMENT.**

Board Member John Kovac made a **MOTION** to adjourn the meeting and Vice-Chairman Paul Ryan **SECONDED.** The **MOTION** passed 4-0, by those present. The meeting adjourned at 6:40 p.m.

**FOUNTAIN HILLS BOARD OF ADJUSTMENT**

BY: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
Richard Gohl, Chairman Janice E. Baxter, Executive Assistant

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the meeting of the Fountain Hills Board of Adjustment held on the 17<sup>th</sup> day of February 2009. I further certify that the meeting was duly called and that a quorum was present.

Dated this 17<sup>th</sup> day of February 2009. \_\_\_\_\_  
Janice E. Baxter, Executive Assistant